



PATENT  
Attorney Docket No 056222-5009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

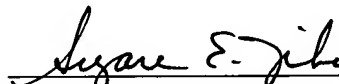
In re Application of <b>Lloyd <i>et al.</i></b>	)	
	)	
Serial No. <b>10/048,225</b>	)	Examiner: <b>Whisenant, Ethan C.</b>
	)	
Filed: <b>July 31, 2002</b>	)	Art Unit: <b>1634</b>
	)	
For: <b>Method For Detecting Nucleic Acid Target</b>	)	Confirmation No. <b>3010</b>
<b>Sequences Involving In Vitro Transcription)</b>	)	
<b>From An RNA Polymerase Promoter</b>	)	

**COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE**

In response to the Notice of Allowance (PTO Paper No. *Not Assigned*) dated May 6, 2005, Applicants submit the following comments. The claims have been allowed for "reasons of record" as disclosed during prosecution, which included telephone interviews. The written record of the telephone interviews provided by the Examiner is believed to be a complete recordation of the substance of the interviews.

Dated: **July 28, 2005**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Suzanne E. Ziska, Ph.D.  
Registration No. 43,371



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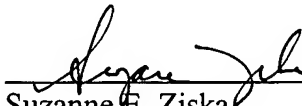
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**TRANSMITTAL FORM**

1. Transmitted herewith is the Issue Fee Transmittal (PTOL-85B).
2. Additional Papers Submitted:  
(i) Comments on Examiner's Reasons for Allowance
3. Fee Payment: The Commissioner is hereby authorized to charge **\$709.00** to Deposit Account No. 50-0310 for payment of the Issue Fee (\$700.00) and advance order of three soft copies of the issued patent.
4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 0-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

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